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August 27, 2007

Pamela Creedon, Executive Officer
Central Valley Regional Water Quality Control Board
11020 Sun Center Drive, Ste. 200
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SUBJECT: City Response to State Board Report on City of Lodi Wastewater Disposal Practices and Groundwater Impacts

The subject report prepared by State Water Resources Control Board (State Board) staff and dated August 1, 2007 (the State Board Report) is flawed and unreliable. Most importantly, the State Board Report ignored and omitted the findings and discussion included in two documents that have been prepared by the City specifically on this topic:

- The September 2004 City of Lodi letter to the Regional Water Quality Control Board (Regional Board). This letter report was written in response to the August 20, 2003 Regional Board comment letter regarding the June 2003 Groundwater Monitoring Status Report (which was referenced in the State Board Report). (referenced in the following as the 2004 Letter)
- The September 2006 *City of Lodi Groundwater Investigation 2006 Report* (referenced in the following as the 2006 Report)

Both of these documents, as well as the City's regular monitoring reports, provide a significant body of information with respect to potential groundwater impacts associated with the City's wastewater disposal practices. Both of these documents have been submitted to the Regional Board or would have been readily provided to the State Board if the author had contacted the City. The blatant omission of the information contained in these two documents results in a report replete with inaccurate technical statements. In contrast to the State Board evaluation, the Regional Board staff did rely on all of the available information to develop the Tentative Permit that is currently under consideration.

In addition to these omissions, the State Board Report contains many unsubstantiated conclusions and opinion statements with respect to groundwater impacts. These statements are presented as facts. Finally, the State Board Report includes many inaccurate legal statements that are not supported by current State policy.

The purpose of the enclosed response is to provide a summary of the erroneous and otherwise false information included in the State Board Report and to provide documentation and references to previous studies in support of this conclusion.

The City of Lodi remains committed to improving our management of all our water resources in an environmentally-sound and cost-effective manner. As acknowledged in previous reports and in our Regional Board discharge permits, there has been a need to make improvements and the City has and continues to do so. We look forward to a cooperative working relationship with the Regional Board in continuing to improve monitoring, operations, and management of the City's water resources.

Sincerely,

Richard C. Prima, Jr.
Public Works Director

RCP/pmf